

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

GAYLA F. LYONS,

Plaintiff,

v.

**Civil Action 2:17-cv-189
Chief Judge Algenon L. Marbley
Magistrate Judge Chelsey M. Vascura**

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.


ORDER

This matter is before the Court for consideration of Plaintiff's Attorney's Motion in Support of Attorney Fees. (ECF No. 24.) Pursuant to 42 U.S.C. § 406(b)(1) and the operative fee agreement Plaintiff executed, Plaintiff's counsel, attorney Clifford M. Farrell, requests attorney's fees totaling \$12,000.00 for work performed in this Court. The Commissioner does not oppose the request.

Having reviewed Plaintiff's counsel's supporting documentation, the Court concludes that he has provided satisfactory evidence to support the requested fees and that the award does not present counsel with a windfall fee. In addition, the Court finds that the requested fee is reasonable in light of the substantial \$3,700 offset to be applied in connection with the Court's prior award of attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412 ("EAJA"). Accordingly, pursuant to 42 U.S.C. §§ 406(b)(1) and 1383(d)(2)(A)(iv), the Court **GRANTS** Plaintiff's Counsel's Motion and **AWARDS** fees in the amount of \$12,000. Upon

receipt by counsel of the § 406(b) fees, counsel shall refund the EAJA fee amount of \$3,700 to Plaintiff directly.

IT IS SO ORDERED.


ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: November 2, 2020